IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 112 OF 2005

IN

EXECUTION APPLICATION NO. 513 OF 2004

IN

AWARD DATED THE 29TH DAY OF JULY, 2002

LEGEND HOLDING PTE LTD .. CLAIMANT.

vs.

MMTC LIMITED .. RESPONDENT.

Mr. A.M. Jaykar i/by M/s. Khaitan Jaykar
& Co. for Claimant.

Mr. D.H. Mehta with A. Patrawala
i/by Pavin Mehta & Mithi & Co.
for Respondent.

CORAM : S.U. KAMDAR,J.

DATE : 2nd FEBRUARY, 2005.

P.C.

1. Admittedly, the award is under challenge before the Delhi High Court. The Petition is filed within the prescribed time. Under Section 36 of the

Arbitration and Conciliation Act, 1996 the filing of the petition operates as an automatic stay of the award. In view thereof, attachment levied in the present proceedings is invalid. In view thereof, I make the Chamber Summons absolute in terms of prayer clauses (a) and (b).